



Entered on Docket
October 19, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

WILDE & ASSOCIATES
Gregory L. Wilde, Esq.
Nevada Bar No. 004417
208 South Jones Boulevard
Las Vegas, Nevada 89107
Telephone: 702 258-8200
bk@wildelaw.com
Fax: 702 258-8787

Wells Fargo Bank, N.A.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

BK-S-09-18367-LBR

Dwain Arlen Hoyt,

Chapter **13**

Debtor(s).

ORDER VACATING AUTOMATIC STAY ON NEGATIVE NOTICE

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to Secured Creditor Wells Fargo Bank, N.A., of the subject property, generally described as 45 Maleena Mesa St. Unit 1025, Henderson, NV 89074, and legally described as follows:

LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN.

1
2 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall
3 give Debtors and Trustee at least five business days' notice of the time, place and date of sale.

4 DATED this _____ day of _____, 2009.

5 Submitted by:

6 WILDE & ASSOCIATES

7 By *K. Salvat* #10235

8 GREGORY L. WILDE, ESQ.
9 Attorney for Secured Creditor
10 208 South Jones Boulevard
Las Vegas, Nevada 89107

11 APPROVED / DISAPPROVED

12 *Louis M. Minicozzi*

13 Louis M. Minicozzi, Esq.
14 Attorney for Debtor(s)
2441 W. Horizon Ridge Parkway Ste. 120
Henderson, NV 89052

APPROVED / DISAPPROVED

Kathleen A. Leavitt
Chapter 7 Trustee
201 Las Vegas Blvd. So. #200
Las Vegas, NV 89101

Escrow No.: 07-05-0489-ACM

LEGAL DESCRIPTION

PARCEL ONE (1) - UNIT:

LIVING UNIT 1025 IN BUILDING 10, AS SHOWN ON THE FINAL MAP OF TRAVERSE POINT CONDOMINIUMS, A CONDOMINIUM SUBDIVISION ON FILE IN BOOK 131 OF PLATS, PAGE 18, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA (HEREINAFTER THE "PLAT").

PARCEL TWO (2) - COMMON ELEMENTS:

AN UNDIVIDED 1/296 INTEREST AS TENANT IN COMMON IN THE COMMON ELEMENTS AS SHOWN ON THE PLAT, IN ACCORDANCE WITH AND SUBJECT TO THE TERMS OF THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TRAVERSE POINT CONDOMINIUMS RECORDED, IN BOOK 20060515 AS DOCUMENT NO. 00763 IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA (HEREINAFTER THE "DECLARATION").

EXCEPTING THEREFROM ALL UNITS AS SHOWN ON THE PLAT.

RESERVING THEREFROM, THE RIGHT TO USE ANY OF THE AREAS DESIGNATED AS LIMITED COMMON ELEMENTS IN THE PLAT AND/OR THE DECLARATION.

FURTHER RESERVING THEREFROM FOR THE BENEFIT OF OWNERS OF ALL UNITS SHOWN ON THE PLAT (EXCEPT THE UNIT REFERRED TO IN PARCEL ONE (1) ABOVE), NON-EXCLUSIVE EASEMENTS FOR ACCESS, INGRESS, EGRESS, USE AND ENJOYMENT OF, IN AND TO THE COMMON ELEMENTS, AS DEFINED IN AND SUBJECT TO THE DECLARATION.

PARCEL THREE (3) - LIMITED COMMON ELEMENTS:

THE EXCLUSIVE RIGHT TO USE, POSSESS AND OCCUPY THE AREAS DESIGNATED AS LIMITED COMMON ELEMENTS DEFINED AND DESCRIBED AS LIMITED COMMON ELEMENTS, ALLOCATED TO PARCELS ONE (1) AND TWO (2) IN THE DECLARATION.

EXHIBIT A

PARCEL FOUR (4) - APPURTENANT EASEMENTS:

NON-EXCLUSIVE EASEMENTS FOR ACCESS, INGRESS, EGRESS, USE, ENJOYMENT AND OTHER PURPOSES ON, OVER AND ACROSS THE COMMON ELEMENTS AS DEFINED IN AND SUBJECT TO THE DECLARATION, WHICH EASEMENT IS APPURTENANT TO PARCELS ONE (1), TWO (2) AND THREE (3) DESCRIBED ABOVE.